IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

and
THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL Nos. 455 of 2003,1615 of 2002,2087 of 2002

2128 of 2004 and 1450 of 2002

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WRIT APPEAL No.455 of 2003

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 21.2.2002 in WP No : 5574 OF 2000 on the file of the High Court.)

Between:

1. The APSRTC, rep., by its Regional Manager, Vizianagaram.
2. The APSRTC rep., by its Depot Manager, Vizianagaram Depot, Vizianagaram.

..... APPELLANTS

AND

1.S.V.S.Subba Rao, R/o Jagannadhapuram, Parvatipuram,Vizianagaram.

(died)

2.The Presiding Officer-cum-Chairman, Industrial Tribunal-cum-Labour

Court,Visakhapatnam.

3. Smt S.Sarojini, w/o late S.V.Subba Rao, 41 years ,

4.S.Raghavendra Rao s/o late S.V.Subba Rao, 25 years,

c/o K.Venkata Rao, H.No.206, R.M.S.Colony, Raipur.

(R3 and R4 brought on record as LRs of deceased R1 as per Court

Order dated 7.6.2005 in WAMP.No.1627 of 2005.)

.....RESPONDENTS

Counsel for the Appellants: MR.Y.VIVEKANANDA SWAMY

Counsel for the Respondent No.1: MR.T.S.VENKATARAMANA

Counsel for the Respondent No.2: GP FOR LABOUR

WRIT APPEAL NO : 1615 of 2002

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 21.2.2002 in WP No : 5638 OF 2000 on the file of the High Court.)

Between:

1.The APSRTC, rep., by its Depot Manager, Vizianagaram Depot,Vizianagaram.

2.The APSRTC, rep., by its Regional Manager, Vizianagaram.

..... APPELLANT

AND

1.P.Rajeswara Rao, s/o late Sathiraju, r/o 4-10-4, Dakkiniveedhi, Vizianagaram.

2.The Presiding Officer-cum-Chairman, Industrial Tribunal-cum-Labour Court,Visakhapatnam.

.....RESPONDENTS

Counsel for the Appellants: MRS.NANDA R. RAO

Counsel for the Respondent No.1: MR.T.S.VENKATA RAMANA

Counsel for the Respondent No.2: GP for Labour

WRIT APPEAL NO : 2087 of 2002

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 21.2.2002 in WP No: 6286 of 2000 on the file of the High Court.)

Between:

1.The APSRTC rep., by its Depot Manager, Vizianagaram Depot, Vizianagaram.

2.The APSRTC rep., by its Regional Manager,Vizianagaram.

..... APPELLANTS

AND

1.K.Sankara Rao s/o Knnam Naidu, r/o Geddaluppi (Village & Post),Sathiraju Mandal, Vizianagaram District.

2.The Presiding Officer-cum-Chairman, Industrial Tribunal-cum-Labour Court,Visakhapatnam.

.....RESPONDENTS

Counsel for the Appellants: MRS.NANDA R. RAO

Counsel for the Respondent No.1: MR.T.S.VENKATARAMANA

Counsel for the Respondent No.2: GP for Labour

WRIT APPEAL NO : 2128 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 21/02/2002 in WP No: 6505 of 2000 on the file of the High Court.)

Between:

1 The APSRTC, rep. by its Depot Manager, Vizianagaram Depot, Vizianagaram.
2 The APSRTC, rep. by its Regional Manager, Vizianagaram.

..... APPELLANTS

AND

1 K. Jagannadha Rao, S/o. A. Satya Rao, R/o. Seethapuram (Po), Dharmavaram

(SO),. S.Kota Mandal, Vizianagaram District.
2 The Presiding Officer-cum-Chairman, Industrial Tribunal-cum-Labour Court, Visakhapatnam.

.....RESPONDENTS

Counsel for the Appellants: KUM.B.G.UMA DEVI

Counsel for the Respondent No.1: MR.T.S.VENKATARAMANA

Counsel for the Respondent No.2: GP for Labour

WRIT APPEAL NO : 1450 of 2002

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 21.2.2002 in WP No : 15501 of 2000 on the file of the High Court.)

Between:

1.The APSRTC rep., by its Depot Manager, Kota Depot,Vizianagaram.

2.The APSRTC rep., by its Regional Manager, Vizianagaram.

..... APPELLANTS

AND

1.K.Appa Rao s/o Late Veeranna, r/o Dasannapeta,Kummara

Veedhi,Vizianagaram District.

2.The Presiding Officer-cum-Chairman, Industrial Tribunal-cum-Labour

Court,Visakhapatnam.

.....RESPONDENTS

Counsel for the Appellants: MRS.NANDA R. RAO
Counsel for the Respondent No.1: MR.T.S.VENKATARAMANA
Counsel for the Respondent No.2: GP for Labour

The Court made the following :

JUDGMENT: (Per the Hon'ble Smt Justice T.Meena Kumari)

These writ appeals are filed by the appellants-Corporation against the common

order passed by a learned single Judge of this Court in W.P.Nos.5574, 5638, 6286, 6505 and 15501 of 2000, dated 21.02.2002.

The learned Single Judge has allowed the said writ petitions filed by the respondents-writ petitioners relying upon the Judgment of a Division Bench of this Court in W.A.No.262 of 2000, dated 4th December, 2000.

The learned Judge while setting aside the orders of removal, directed the appellants herein to reinstate the writ petitioners into service afresh after obtaining an undertaking that they will be careful, cautious and diligent in discharge of their duties in future. The learned Judge has directed the writ petitioners to file their undertakings before the competent authority within a period of one month from the date of receipt of the orders and on receipt of the same, the competent authority was directed to reinstate the writ petitioners into service forthwith and that those appointments shall be treated as fresh appointments. Aggrieved by the same, the present writ appeals have been filed by the appellants-Corporation.

Learned counsel for the respondents-writ petitioners has contended that the matters are covered by the Division Bench Judgment of this Court referred to hereinabove.

On the other hand, learned counsel for the appellants-Corporation has contended that the matters are not covered by the Division Bench judgment of this Court in view of the fact that the Industrial Disputes have been disposed of independently.

Heard the learned counsel on either side.

Perused the material available on record. It is not in dispute that the earlier Division Bench of this Court has dealt with similar matter and directed the Corporation to appoint the workman afresh as a conductor provided the workman files an affidavit to the effect that he would be diligent, honest, sincere and faithful in discharge of his duties in future.

Learned counsel for the appellants-Corporation has submitted that the Corporation has already implemented the orders passed by this Court in W.P.Nos.36009 of 1998, 21153 of 1999,21114 of 1999,11493 of 1998 and 26855 of 2000.

In view of the fact that the appellants-Corporation has already implemented the orders passed in the said writ petitions and the Judgment rendered in W.A.No.262 of 2000 confirming the order in W.P.No.11493 of 1998 has become final, we do not find

any reason to interfere with the common order passed by the learned Single Judge of this Court.

The writ appeals are accordingly dismissed. The appellants-Corporation is directed to implement the order passed by the learned Single Judge of this Court in W.P.Nos.5574, 5638, 6286, 6505 and 15501 of 2000 dated 21.2.2002, within a period

of two months from the date of receipt of a copy of this order.

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(T.Meena Kumari,J)

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(P.Lakshmana Reddy,J)

7.6.2005

rkk/lvl

Copy to

1.The APSRTC, rep., by its Regional Manager, Vizianagaram.

2.The APSRTC rep., by its Depot Manager, Vizianagaram Depot, Vizianagaram.

3.The Presiding Officer-cum-Chairman, Industrial Tribunal-cum-Labour

Court, Visakhapatnam.

4. Two C.D. copies.